

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
ORION HEALTHCORP, INC <sup>1</sup> .	:	Case No. 18-71748 (AST)
	:	
Debtors.	:	(Jointly Administered)
-----	:	
HOWARD M. EHRENBERG IN HIS CAPACITY	:	
AS LIQUIDATING TRUSTEE OF ORION	:	Adv. Pro. No. 20-08052 (AST)
HEALTHCORP, INC., ET AL.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
ABRUZZI INVESTMENTS, LLC; JOHN	:	
PETROZZA,	:	
	:	
Defendants.	:	
-----	:	

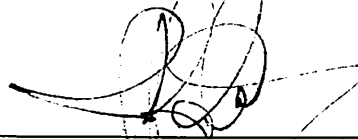
**NOTICE OF PLAINTIFF'S DESIGNATION OF EXPERT PURSUANT TO  
RULE 26(a)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

Dated: September 2, 2021

PACHULSKI STANG-ZIEHL & JONES LLP

By:



Ilan D. Scharf, Esq.

Jeffrey P. Nolan, Esq. (admitted *pro hac vice*)

PACHULSKI STANG ZIEHL & JONES LLP

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New York, New York 10017

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Counsel for the Plaintiff,

Howard M. Ehrenberg in his capacity as

Liquidating Trustee of Orion Healthcorp, Inc., *et al.*

Pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure, the Case Management Order, and as amended by the Court, Plaintiff Howard M. Ehrenberg, in his capacity as Liquidating Trustee of Orion HealthCorp, Inc. in the above-captioned Adversary Proceedings, (the "Plaintiff"), hereby designates the person identified below, whose expert opinion the Plaintiff expects to offer into evidence, at trial and otherwise, in the Adversary Proceeding. The Plaintiff reserves all rights to designate additional rebuttal expert witnesses in response to any expert designation by Defendants in the Adversary Proceeding.

Craig Jacobsen  
B Riley Advisory Services  
299 Park Avenue, 21st Floor  
New York, NY 10171

Qualifications of Witness: A statement of the qualifications and publications of Craig Jacobsen are attached as Appendix A to his Expert Report.

The Trustee expects Mr. Jacobsen to testify, and to provide expert evidence and opinions at trial and otherwise, as to the following general subject areas:

1. In re: Orion HealthCorp., Inc., et al. and its insolvency as to the date of the Transfer.
2. The pre-petition transfer identified in the operative complaint in Howard M. Ehrenberg v. Abruzzi Investments, LLC, et al., Adv. Proc. No. 20-08052 AST.
3. The contents of Mr. Jacobsen's expert report (including exhibits) regarding Orion HealthCorp., Inc., et al, served concurrently herewith.

Mr. Jacobsen's hourly rate for deposition is \$515.

**PROOF OF SERVICE**

STATE OF CALIFORNIA       )  
  )  
COUNTY OF LOS ANGELES    )

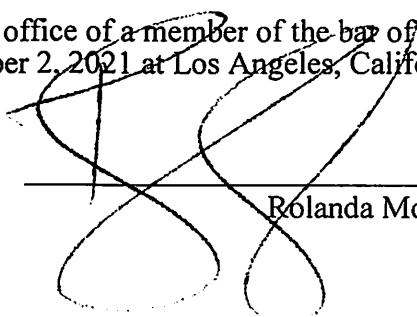
I, Rolanda Mori, am employed in the city and county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 10100 Santa Monica Blvd., 13th Floor, Los Angeles, California 90067-4100.

On September 2, 2021, I caused to be served the **NOTICE OF PLAINTIFF'S DESIGNATION OF EXPERT PURSUANT TO RULE 26(a)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE** in this action by placing a true and correct copy of said document(s) in sealed envelopes in the U.S. mail addressed as follows:

Anthony F. Giuliano, Esq.  
445 Broadhallow Road, Suite 25  
Melville, New York 11747  
Tel: (516) 792-9800  
Email: afg@pryormandelup.com

- ☒ (BY MAIL) I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☒ (BY EMAIL) I caused to be served the above-described document by email to the parties indicated on the attached service list at the indicated email address.
- ☐ (BY PERSONAL SERVICE) By causing to be delivered by hand to the offices of the addressee(s).
- ☐ (BY OVERNIGHT DELIVERY) By sending by **FEDERAL EXPRESS** to the addressee(s) as indicated on the attached list.

I declare that I am employed in the office of a member of the bar of this Court at whose direction was made. Executed on September 2, 2021 at Los Angeles, California.

  
\_\_\_\_\_  
Rolanda Mori